

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chair Dee Brown, on January 23, 2015 at 3:00 PM, in Room 335 Capitol

ROLL CALL

Members Present:

Sen. Dee Brown, Chair (R)
Sen. Robyn Driscoll (D)
Sen. Jedediah Hinkle (R)
Sen. Sue Malek (D)
Sen. Lea Whitford (D) (arrived after roll call)

Members Excused:

Sen. Roger Webb, Vice Chair (R)
Sen. Douglas (Doug) Kary (R)

Members Absent: None

Staff Present: Prudence Gildroy, Committee Secretary
Rachel Weiss, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SJ 6, 1/13/2015; SB 64, 1/13/2015; SB 74, 1/13/2015; SB 169, 1/19/2015

Executive Action: SJ 6 Do Pass; SB 124 Do Pass; SB 43 Do Pass; SB 69 Tabled; SB 72 Do Pass; SB 86 Tabled; SB 94 Do Pass

HEARING ON SJ 6

Opening Statement by Sponsor:

00:01:11 Sen. Cliff Larsen (D), SD 47, opened the hearing on SJ 6, Resolution to recognize military service of Montanans.

00:02:43 Sen. Whitford joined the meeting.

Proponents' Testimony:

00:05:07 Brigadier General Brian P. Fox, Montana National Guard, Department of Military Affairs (DMA)

00:06:51 Jim Higgins, Montana National Guard Enlisted and Officer Associations

00:08:05 Dave Schulz, Montana Association of Counties (MACo)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:09:35 Sen. Malek

00:10:02 General Fox, DMA

00:10:21 Sen. Malek

00:10:29 General Fox

00:11:33 Chair Brown

Closing by Sponsor:

00:12:13 Sen. Larsen

EXECUTIVE ACTION ON SJ 6

00:13:27 **Motion/Vote:** Sen. Malek moved that **SJ 6 DO PASS**. Motion carried unanimously by voice vote. Sen. Kary and Sen. Webb voted by proxy.

HEARING ON SB 64

Opening Statement by Sponsor:

00:14:11 Sen. Jim Keane (D), SD 38, opened the hearing on SB 64, Revise laws governing Montana heritage commission.

Proponents' Testimony:

00:18:40 Dave Schulz, Madison County commissioner

00:22:41 Chair Brown

00:23:35 Marilyn Ross, chair, Montana Heritage Commission (MHA)

00:24:33 Sen. Debby Barrett, SD 36

00:25:18 Rep. Ray Shaw, HD 71
 00:27:05 Sen. Bradley Hamlett, SD 15
 00:27:43 James Court, representing himself
 00:28:47 Stuart Doggett, Montana Lodging and Hospitality Association (MLHA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:30:06 Sen. Malek
 00:31:26 Sen. Keane
 00:32:14 Sen. Malek
 00:32:30 Sen. Keane
 00:32:52 Sen. Hinkle
 00:34:08 Ms. Ross, MHA
 00:35:34 Sen. Hinkle
 00:36:02 Ms. Ross
 00:36:15 Sen. Webb joined the meeting.
 00:37:30 Sen. Hinkle
 00:37:40 Ms. Ross
 00:38:21 Chair Brown
 00:39:25 Sen. Keane
 00:43:16 Chair Brown
 00:43:26 Sen. Keane
 00:43:32 Chair Brown
 00:44:31 Elijah Allen, executive director, MHA
 00:47:17 Chair Brown
 00:47:37 Sen. Whitford
 00:47:56 Sen. Keane
 00:48:05 Mr. Allen, MHA
 00:48:26 Sen. Whitford
 00:48:43 Mr. Allen
 00:49:45 Sen. Whitford
 00:50:58 Mr. Allen
 00:51:16 Sen. Hinkle
 00:52:33 Sen. Keane

Closing by Sponsor:

00:53:28 Sen. Keane
 00:54:13 Sen. Kary joined the meeting.

HEARING ON SB 74

Opening Statement by Sponsor:

00:56:21 Sen. Mary Sheehy Moe (D), SD 12, opened the hearing on SB 74, Revise PERS employer contribution laws for the Montana State University System.

Proponents' Testimony:

00:58:23 Dore Schwinden, Montana Public Employees Retirement Administration (MPERA)
00:59:10 Melanie Symons, MPERA
01:00:07 Tom Schneider, Montana Public Employees Association (MPEA)
01:01:00 Diane Fladmo, MEA-MFT
01:01:21 Marilyn Hamer, AARP Montana
[EXHIBIT\(sts15a01\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:02:37 Sen. Malek
01:03:12 Mr. Schwinden, MPERA
01:03:28 Ms. Simmons, MPERA

Closing by Sponsor:

01:04:20 Sen. Sheehy Moe

HEARING ON SB 169

Opening Statement by Sponsor:

01:09:06 Sen. Bradley Hamlett (D), SD 15, opened the hearing on SB 169, Require special election for vacancy in the U.S. Senate or House.

Proponents' Testimony:

01:12:52 Vice Chair Webb assumed the chair.
01:13:00 Gregg Trude, state director, Right to Life of Montana
[EXHIBIT\(sts15a02\)](#)

01:16:40 Jim Brown, representing himself

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:21:39 Sen. Hamlett

Committee Business:

01:23:05 Chair Brown assumed the chair.
 01:23:33 Sen. Driscoll
 01:23:57 Sen. Hinkle
 01:24:08 Sen. Webb
 01:24:41 Chair Brown
 01:25:39 Sen. Whitford
 01:26:08 Chair Brown

EXECUTIVE ACTION ON SB 124

01:28:47 Sen. Webb assumed the chair.
 01:28:57 **Motion:** Sen. D. Brown moved that **SB 124 DO PASS.**

Discussion:

01:29:07 **Motion:** Sen. D. Brown moved that **SB 124 BE AMENDED.**
[EXHIBIT](#)(sts15a03)

Discussion:

01:31:06 Sen. Kary
 01:31:44 Sen. Brown
 01:32:11 Sen. Whitford
 01:32:52 Sen. Brown
 01:33:07 Rachel Weiss, Legislative Services Division (LSD)
 01:33:21 Sen. Brown
 01:33:54 Sen. Hinkle
 01:34:14 **Vote:** Motion carried unanimously by voice vote.
 01:34:37 **Motion/Vote:** Sen. D. Brown moved that **SB 124 DO PASS AS AMENDED.**
 Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 43

01:35:28 Chair Brown assumed the chair.
 01:35:46 **Motion:** Sen. Malek moved that **SB 43 DO PASS.**
 01:36:21 **Motion:** Sen. Malek moved that **SB 43 BE AMENDED.**
[EXHIBIT](#)(sts15a04)

Discussion:

01:36:33 Sen. Malek
 01:36:34 Sen. Kary left the meeting.
 01:39:00 Chair Brown

01:39:25 Rachel Weiss, Legislative Service Division (LSD)

01:40:42 **Vote:** Motion carried unanimously by voice vote. Sen. Kary voted by proxy.

01:41:04 **Motion:** Sen. Malek moved that **SB 43 DO PASS AS AMENDED.**

Discussion:

01:41:13 Sen. Malek
Sen. Kary joined the meeting.

01:42:36 **Vote:** Motion carried 4-3 by roll call vote with Sen. Brown, Sen. Hinkle and Sen. Webb voting no.

EXECUTIVE ACTION ON SB 69

01:44:23 **Motion:** Sen. Webb moved that **SB 69 DO PASS.**

01:45:11 **Motion:** Sen. Webb moved that **SB 69 BE AMENDED.**
[EXHIBIT](#)(sts15a05)

Discussion:

01:45:50 Rachel Weiss, Legislative Services Division (LSD)
01:46:35 Chair Brown
01:46:48 Ms. Weiss, LSD
01:47:28 Chair Brown
01:47:31 Ms. Weiss
01:49:21 Chair Brown
01:49:47 Ms. Weiss
01:50:45 Chair Brown

01:50:59 **Vote:** Motion carried unanimously by voice vote.

01:51:14 **Motion/Vote:** Sen. Malek moved that **SB 69 DO PASS AS AMENDED.** Motion failed 3-4 by roll call vote with Sen. Driscoll, Sen. Malek and Sen. Whitford voting aye.

01:52:31 **Motion/Vote:** Sen. Webb moved that **SB 69 BE TABLED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 72

01:52:55 **Motion:** Sen. Webb moved that **SB 72 DO PASS.**

Discussion:

01:53:27 Rachel Weiss, Legislative Services Division (LSD)

01:54:04 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 86

01:54:42 **Motion:** Sen. Webb moved that **SB 86 DO PASS.**

Discussion:

01:54:47 Sen. Malek
EXHIBIT(sts15a06)

01:57:02 **Motion:** Sen. Webb moved that **SB 86 BE AMENDED.**
EXHIBIT(sts15a07)

Discussion:

01:57:27 Rachel Weiss, Legislative Services Division (LSD)

01:58:12 **Vote:** Motion carried 6-1 by voice vote with Sen. Hinkle voting no.

01:58:38 **Motion:** Sen. Webb moved that **SB 86 DO PASS AS AMENDED.**

Discussion:

01:58:56 Chair Brown
01:59:19 Sen. Kary
02:00:04 Sen. Hinkle
02:01:55 Chair Brown
02:03:11 Sen. Webb

02:03:38 **Vote:** Motion failed 3-4 by roll call vote with Sen. Driscoll, Sen. Malek and Sen. Whitford voting aye.

02:04:15 **Motion/Vote:** Sen. Webb moved that **SB 86 BE TABLED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 94

02:04:35 **Motion:** Sen. Webb moved that **SB 94 DO PASS.**

Discussion:

02:04:45 Chair Brown
02:05:07 Rachel Weiss, Legislative Services Division (LSD)
02:05:42 Chair Brown

02:06:09 **Vote:** Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 5:06 p.m.

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT([sts15aad.pdf](#))